

Application No. 10/044,293
Filed: January 11, 2002
TC Art Unit: 3676
Confirmation No.: 6843

REMARKS

Applicant affirms the election of claims 1-20.

Claims 1-5 and 9-13 have been rejected under 35 U.S.C. § 102(b) over Suggs et al. (US Pat. No. 5,499,827). Reconsideration of this rejection is respectfully requested for the following reasons.

Suggs relates to packing in a stuffing box for rotary or reciprocating shafts and valve stems, not ventilation ducts. Claim 1 has been amended to incorporate the subject matter of dependent claim 19. Claim 1 recites that the present invention relates to a method of manufacturing a ventilation duct component. Claim 1 further recites the steps of "forming the sealing strip into a shape that essentially corresponds to a perimeter of the tubular ventilation duct component," "cutting the sealing strip into a sealing strip portion having a length that essentially corresponds to the perimeter of the tubular ventilation duct component," and "fastening the sealing gasket around the perimeter of the tubular ventilation duct component." Thus, claim 1 and the claims dependent therefrom are believed to be patentable over Suggs.

Claims 15 and 18-20 have been rejected under § 103(a) over Suggs et al. in view of Ahlrot (US Pat. No. 3,955,834). Specifically regarding claim 19, the Examiner cites Ahlrot for teaching a tubular element that is a ventilation duct component and asserts that it would have been obvious to modify Suggs "to fasten a sealing element to a tubular element simply and effectively." (Office Action, page 7) Applicant respectfully traverses this rejection.

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Suggs and Ahlrot relate to different applications. Suggs relates to a stuffing box for rotary or reciprocating shafts. Ahlrot relates to the connecting of ventilation ducts, which remain stationary with respect to each other when sealed. Thus, a sealing element for use between two ducts to prevent fluid flow out of the duct would not be operative in a stuffing box for rotary or reciprocating shafts, as in Suggs. The packing of Suggs must seal against fluid flow along the outside of the shaft, while the shaft is moving. Thus, one of skill in the art would not look to Ahlrot for a teaching relevant to packing for a stuffing box.

Additionally, modifying Suggs to use a ventilation duct rather than a rotary or reciprocating shaft would completely alter the Suggs device. Suggs would no longer relate to rotary and reciprocating shafts. There is no teaching or suggestion to make such a vast alteration to Suggs's device. Accordingly, claim 1 as amended to incorporate the subject matter of claim 19 is also believed to be patentable over Suggs in view of Ahlrot.

Regarding claim 5, the Examiner cites Kemminer as evidence of cutting a strip to length on a mandrel. Suggs is silent as to how the material 10 on the spool 98 is subsequently cut to length to form the packing rings 30. Kemminer relates to the cold working of iron bands to form a spiral that is subsequently cut into rings. Kemminer's teachings regarding the cold working of iron have little relevance to the fiber and graphite flexible packing material of Suggs. Greater care and different handling are needed to retain iron bands in shape during the steps of the Kemminer process, such as the cold working step, the cutting step, and the welding step. Thus, claim 5 is believed to be

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patentable over Suggs, alone or in view of Kemminer, for this reason also.

New claim 44, generally similar to dependent claim 2, recites the step of joining together the first and second ends of the sealing strip portion while on the mandrel. Suggs discloses the packing material wound in a spiral manner on the spool 98, as shown in Fig 4. Suggs does not appear to disclose joining the first and second ends together while on the spool 98 of the mandrel 94. Thus, claim 44 is also believed to be patentable over Suggs.

Claims 1, 6-10, 14, and 16 have been rejected under § 102(b) over Steenstrup (US Pat. No. 1,498,894). Reconsideration of this rejection is also respectfully requested for the following reasons.

The Examiner asserts that Steenstrup discloses "joining together a first and second end of the sealing strip portion (by way of tubular piece 12)." (Office Action, pages 5-6, emphasis added) As can be seen in Steenstrup, however, the strip 17 is spirally wound over the carrying member 12. The ends of the strip 17 are not directly joined to each other to form a closed shape.

Claim 1 as amended recites that the sealing gasket has a closed cross section and further recites the method step of "joining together a first and a second end of the sealing strip portion, so as to form the closed cross section of the sealing gasket." Accordingly, claim 1 is believed to be patentable over Steenstrup.

Claim 14 has been rejected under § 103(a) over Suggs et al. in view of Knapp (US Pat. No. 6,550,775). This claim is believed to be patentable for the reasons set forth above with respect to

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claim 1. Accordingly, no further comment thereon is believed necessary at this time.

Clam 17 has been rejected under § 103(a) over Suggs et al. in view of Heisler (US Pat. No. 4,398,726). Heisler relates to a sealing gasket between pipe sections, not a seal for a rotary or reciprocating shaft as in Suggs. Thus, claim 17 is believed to be patentable over Suggs in view of Heisler for this reason as well.

The objection to claim 16 has been addressed as suggested by the Examiner.

In view of the above amendments and remarks, all claims are believed to be in condition for allowance, and reconsideration and indication thereof are respectfully requested. The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite prosecution of the present application.

Respectfully submitted,

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